



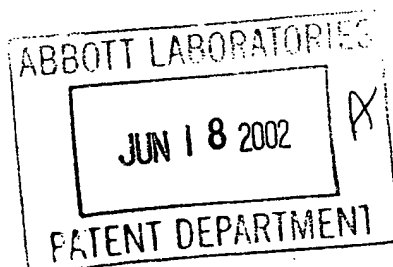
# UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/062,313	02/01/2002	1743	996	6886.US.O1	4	27	2

23492  
ABBOTT LABORATORIES  
DEPT. 377 - AP6D-2  
100 ABBOTT PARK ROAD  
ABBOTT PARK, IL 60064-6050



CONFIRMATION NO. 3985

## UPDATED FILING RECEIPT



\*OC00000008224344\*

Date Mailed: 06/03/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) *shridhara*

~~Shridhara~~ Alva Karinka, Lowell, MA;  
Geoffery Roger Chambers, Middlesex, UNITED KINGDOM;  
Gurdial Sanghera, Oxford, UNITED KINGDOM;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 03/06/2002

Projected Publication Date: 08/07/2003

Non-Publication Request: No

Early Publication Request: No

Title

Electrochemical biosensor strip for analysis of liquid samples

Preliminary Class

*DLW  
6-27-02*

*KAW  
6-24*

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

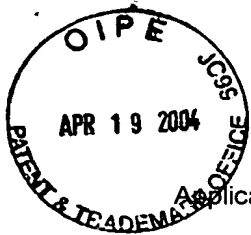
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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Receipt \$

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: S. A. Karinka, *et al.*

Serial No.: 10/062,313

Filed: February 1, 2002

For: ELECTROCHEMICAL BIOSENSOR  
STRIP FOR ANALYSIS OF LIQUID  
SAMPLES

Group Art Unit: 1753

Examiner: Noguerola, Alexander Stephan

Attorney Docket No.: 6886.US.O1

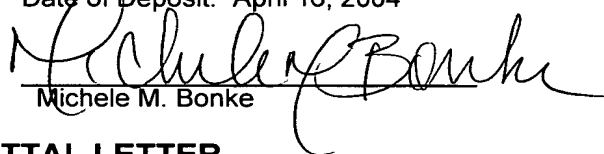
Date: April 16, 2004

**Certificate of Mailing (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313 - 1450 on:

Date of Deposit: April 16, 2004

  
Michele M. Bonke

**TRANSMITTAL LETTER**

Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313 - 1450

Dear Sir:

Enclosed herewith is an Amendment, Request, and Fee to Correct the Spelling of the Name of a Properly Named Inventor In – Nonprovisional Application (37 C.F.R. § 1.48(a)) of Shridhara Karinka, *et al.* for ELECTROCHEMICAL BIOSENSOR STRIP FOR ANALYSIS OF LIQUID SAMPLES, Serial No. 10/062,313 filed February 1, 2002.


- Also enclosed:
1. Updated Filing Receipt with Changes Noted thereon
  2. Declaration and Power of Attorney for a United States Patent Application
  3. Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,  
S.A. Karinka, *et al.*

23492

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Attorney for Applicants

base, unless the application is an 09/ series application, in which case the application should be sent to the assigned examining group for correction to the PALM bib-data sheet by the examining group's technical support staff. If the application is assigned, applicant should submit a corrected assignment document along with a cover sheet and the recording fee as set forth in 37 CFR 1.21(h) to the Assignment Division for a change in the assignment record.

#### **605.04(d) Applicant Unable to Write**

If the applicant is unable to write, his or her mark as affixed to the oath or declaration must be attested to by a witness. In the case of the oath, the notary's signature to the jurat is sufficient to authenticate the mark.

#### **605.04(e) May Use Title With Signature**

It is permissible for an applicant to use a title of nobility or other title, such as "Dr.", in connection with his signature. The title will not appear in the printed patent.

#### **605.04(f) Signature on Joint Applications - Order of Names**

The order of names of joint patentees in the heading of the patent is taken from the order in which the typewritten names appear in the original oath or declaration. Care should therefore be exercised in selecting the preferred order of the typewritten names of the joint inventors, before filing, as requests for subsequent shifting of the names would entail changing numerous records in the Office. Since the particular order in which the names appear is of no consequence insofar as the legal rights of the joint applicants are concerned, no changes will be made except when a petition under 37 CFR 1.182 is granted. The petition should be directed to the attention of the Office of Petitions. The petition to change the order of names must be signed by either the attorney or agent of record or all the applicants. It is suggested that all typewritten and signed names appearing in the application papers should be in the same order as the typewritten names in the oath or declaration.

In those instances where the joint applicants file separate oaths or declarations, the order of names is taken from the order in which the several oaths or declarations appear in the application papers unless a different order is requested at the time of filing.

#### **605.04(g) Correction of Inventorship**

When the Office is notified of a typographical or transliteration error in the spelling of an inventor's name, or a petition is granted approving a correction or a change in the order of the names of the inventors, or inventors are added or deleted under 37 CFR 1.48, the change should be noted in red ink in the left margin of the original oath or declara-

tion. The notation should read "See Paper No. \_\_\_\_ for inventorship changes." The application (other than 09/ series applications) should be sent to the Office of Initial Patent Examination (OIPE) for correction on the file wrapper label and the PALM database regarding the inventorship. A brief explanation on an "Application Division Data Base Routing Slip" (available from the examining group technical support staff) should accompany the application file to OIPE. For 09/ series applications, the examiner should have the examining group's technical support staff enter the correction in the PALM database and print a new PALM bib-data sheet, which will then be placed in the file wrapper.

#### **605.05 Administrator, Executor, or Other Legal Representative**

In an application filed by a legal representative of the inventor, the specification should not be written in the first person.

For prosecution by administrator or executor, see MPEP § 409.01(a).

For prosecution by heirs, see MPEP § 409.01(a) and § 409.01(d).

For prosecution by representative of legally incapacitated inventor, see MPEP § 409.02.

For prosecution by other than inventor, see MPEP § 409.03.

#### **605.07 Joint Inventors [R-1]**

##### *35 U.S.C. 116. Inventors*

When an invention is made by two or more persons jointly, they shall apply for patent jointly and each make the required oath, except as otherwise provided in this title. Inventors may apply for a patent jointly even though (1) they did not physically work together or at the same time, (2) each did not make the same type or amount of contribution, or (3) each did not make a contribution to the subject matter of every claim of the patent.

\*\*\*\*\*

35 U.S.C. 116, as amended by Public Law 98-622, recognizes the realities of modern team research. A research project may include many inventions. Some inventions may have contributions made by individuals who are not involved in other, related inventions.

35 U.S.C. 116 allows inventors to apply for a patent jointly even though

(A) they did not physically work together or at the same time,

(B) each did not make the same type or amount of contribution, or

(C) each did not make a contribution to the subject matter of every claim of the patent.

declaration but will require a new oath or declaration. Form Paragraph 6.02.01 may be used to call noninitialed and/or nondated alterations to applicant's attention.

¶ 6.02.01 *Non-Initialed and/or Non-Dated Alterations in Application Papers*

The application is objected to because of alterations which have not been initialed and/or dated as is required by 37 CFR 1.52(c). A properly executed oath or declaration which complies with 37 CFR 1.67(a) and identifies the application by application number and filing date is required.

The signing and execution by the applicant of oaths or declarations in certain >continuation or divisional< applications may be omitted\*. See MPEP § 201.06 and § 201.07.

For the signature on a reply, see MPEP § 714.01(a) to § 714.01(d).

**>EXECUTION OF OATH OR DECLARATION ON BEHALF OF INVENTOR**

The oath or declaration required by 35 U.S.C. 115 must be signed by all of the actual inventors, except under limited circumstances. 35 U.S.C. 116 provides that joint inventors can sign on behalf of an inventor who cannot be reached or refuses to join. See MPEP § 409.03(a). 35 U.S.C. 117 provides that the legal representative of a deceased or incapacitated inventor can sign on behalf of the inventor. See MPEP § 409.01 and § 409.02. 35 U.S.C. 118 provides that a party with proprietary interest in the invention claimed in an application can sign on behalf of the inventor, if the inventor cannot be reached or refuses to join in the filing of the application. See MPEP § 409.03(b) and § 409.03(f). The oath or declaration may not be signed by an attorney on behalf of the inventor, even if the attorney has been given a power of attorney to do so. *Opinion of Hon. Edward Bates*, 10 Op. Atty. Gen. 137 (1861). See also *Staeger v. Commissioner of Patents and Trademarks*, 189 USPQ 272 (D.D.C. 1976) and *In re Striker*, 182 USPQ 507 (PTO Solicitor 1973) (In each case, an oath or declaration signed by the attorney on behalf of the inventor was defective because the attorney did not have a proprietary interest in the invention.).<

**605.04(b) One Full Given Name Required**

37 CFR 1.63(a)(3) requires that each inventor be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial in the oath or declaration. For example, if the applicant's full name is "John Paul Doe," either "John P. Doe" or "J. Paul Doe" is acceptable.

Form Paragraphs 6.05 (reproduced in MPEP § 602.03) and 6.05.18 may be used to notify applicant that the oath or declaration is defective because the full given name of each inventor has not been adequately stated.

¶ 6.05.18 *Full Given Name Is Not Set Forth*

The full name of each inventor (family name and at least one given name together with any initial) has not been set forth.

**Examiner Note:**

This paragraph must be preceded by paragraph 6.05.

In an application where the name is typewritten with a *middle name* or *initial*, but the signature is without such middle name or initial, the typewritten version of the name will be used. Except for correction of a typographical or transliteration error in the spelling of an inventor's name, a request to have the name changed to the signed version or any other corrections in the name of the inventor(s) will not be entertained, unless accompanied by a petition under 37 CFR 1.182 together with an appropriate petition fee. The petition should be directed to the attention of the Office of Petitions. Upon granting of the petition, the application should be sent to the Office of Initial Patent Examination (OIPE) for correction of its records, unless the application is an 09/ series application, in which case the application should be sent to the assigned examining group for correction to the PALM bib-data sheet by the examining group's technical support staff. If the application is assigned, it will be forwarded by OIPE or the examining group's technical support staff to the Assignment Division for a change in the assignment record.

When a typographical or transliteration error in the spelling of an inventor's name is discovered during pendency of an application, a petition is not required, nor is a new oath or declaration under 37 CFR 1.63 needed. The Patent and Trademark Office should simply be notified of the error and reference to the notification paper will be made on the previously filed oath or declaration by the Office.

When any correction or change is effected, the file should be sent to OIPE for revision of its records and the change should be noted on the original oath or declaration by writing in red ink in the left column "See Paper No. \_\_\_ for inventorship changes." See MPEP §§ 201.03 and 605.04(g).

**605.04(c) Inventor Changes Name**

In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182. The petition should be directed to the attention of the Office of Petitions. The petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

If the petition is granted, the application should be sent to the Office of Initial Patent Examination (OIPE) for change of name on the file wrapper and in the PALM data-